REMARKS:

In the outstanding Office Action, the Examiner rejected claims 1-64. Claims 1, 13, 30, 42, 48, 49, 52 and 64 are amended herein. No new matter is presented. Thus, claims 1-64 are pending and under consideration. The rejections are traversed below.

REJECTION UNDER 35 U.S.C. § 102(e):

Claims 1-64 were rejected under 35 U.S.C. § 102(e) as being anticipated by U.S. Patent No. 6,233,318 (Picard).

Picard is directed to unifying message storage to allow different types of messages to be stored in a single unified multimedia mailbox and be accessed via different pathways. When a voice interface is used in Picard, presentation of the messages is limited to simple spoken message counts (see, col. 6, 48-62). For example, the voice interface of Picard providing a spoken message inventory gives counts of messages per type and indicates as to whether any of the messages are urgent (see, and col. 7, lines 1-19). That is, Picard is limited to providing a user with limited control over the messages using the voice interface (i.e., counts of messages and indicating urgency of the messages) while providing additional control using a PC-based interface.

Independent claim 1, by way of example, recites a messaging system including a telephone based voice user interface where a plurality of messages are enabled to be "interactively categorized according to the at least two attributes into overlapping lists of messages by a recipient of the plurality of messages via said voice user interface." Independent claim 13 also recites that the present invention categorizes each of the messages into at least two overlapping lists of messages "via said voice user interface." For example, a user is able to request that the system play all messages from a particular sender to cause the system to categorize or sort the messages from that particular sender based on such request.

Independent claims 30 and 42 also recite that the present invention receives a newly-arrived message during a session "using a telephone based voice user interface." Independent claims 48, 49, 52 and 64 similarly recite that messages are categorized or sorted using "[a] voice user interface."

Picard does not teach or suggest a voice based message sorting and retrieval method and system that uses "a telephone based voice user interface", as recited in each of independent claims 1, 13, 30, 42, 48, 49, 52 and 64.

It is therefore submitted that the independent claims are patentable over <u>Picard</u>.

For at least the above-mentioned reasons, claims depending from the independent claims are patentably distinguishable over <u>Picard</u>. The dependent claims are also independently patentable. For example, claims 2, 7, 14, 19, 53 and 58 recite that the attributes of the messages comprise "an urgency indicator and a message received date", using which the messages are categorized via the telephone based voice user interface. <u>Picard</u> does not teach or suggest these features of claims 2, 7, 14, 19, 53 and 58.

Therefore, withdrawal of the rejection is respectfully requested.

ENTRY OF AMENDMENT:

Applicants respectfully request entry of amendments to claims because the amendments are made to further clarify the present invention and do not introduce significant changes that would require a further search.

CONCLUSION:

There being no further outstanding objections or rejections, it is submitted that the application is in condition for allowance. An early action to that effect is courteously solicited.
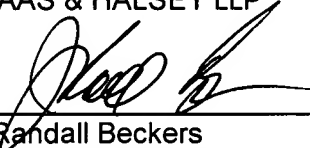
Finally, if there are any formal matters remaining after this response, the Examiner is requested to telephone the undersigned to attend to these matters.

If there are any additional fees associated with filing of this Amendment, please charge the same to our Deposit Account No. 19-3935.

Respectfully submitted,

STAAS & HALSEY LLP

Date: ___1/19/6___   By: _____

J. Randall Beckers
Registration No. 30,358

1201 New York Avenue, NW, Suite 700
Washington, D.C. 20005
Telephone: (202) 434-1500
Facsimile: (202) 434-1501